

1 SHEPPARD MULLIN RICHTER & HAMPTON LLP
A Limited Liability Partnership
2 Including Professional Corporations
GARY L. HALLING, Cal. Bar No. 66087
3 JAMES L. MCGINNIS, Cal. Bar No. 95788
MICHAEL W. SCARBOROUGH, Cal. Bar No. 203524
4 TYLER M. CUNNINGHAM, Cal. Bar No. 243694
Four Embarcadero Center, 17th Floor
5 San Francisco, California 94111-4106
Telephone: 415-434-9100
6 Facsimile: 415-434-3947
E-mail: ghalling@sheppardmullin.com
7 jmcginnis@sheppardmullin.com
mscarborough@sheppardmullin.com
8 tcunningham@sheppardmullin.com

9 Attorneys for Defendants
SAMSUNG SDI CO., LTD.,
10 SAMSUNG SDI AMERICA, INC.,
SAMSUNG SDI (MALAYSIA) SDN. BHD.,
11 SAMSUNG SDI MEXICO S.A. DE C.V.,
SAMSUNG SDI BRASIL LTDA.,
12 SHENZHEN SAMSUNG SDI CO., LTD. and
TIANJIN SAMSUNG SDI CO., LTD.
13

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION
17

18 In re: CATHODE RAY TUBE (CRT)
19 ANTITRUST LITIGATION

Master Case No. 07-5944 SC
MDL No. 1917

20 This Document Relates to:

21 INDIRECT PURCHASER ACTIONS

22 *Costco Wholesale Corporation v. Technicolor*
23 *SA, et al.*, No. 13-cv-05723;

24 *Costco Wholesale Corporation v. Hitachi, Ltd. et*
25 *al.*, No. 3:11-cv-06397;

26 *Electrograph Systems, Inc., et al. v. Hitachi,*
Ltd., et al., No. 11-cv-01656;

27 *Electrograph Systems, Inc., et al. v. Technicolor*
28 *SA, et al.*, No. 13-cv-05724;

**DECLARATION OF TYLER M.
CUNNINGHAM IN SUPPORT OF
DEFENDANTS' MOTION FOR PARTIAL
SUMMARY JUDGMENT AS TO
INDIRECT PURCHASER PLAINTIFFS'
AND CERTAIN DIRECT ACTION
PLAINTIFFS' STATE LAW CLAIMS ON
STATUTE OF LIMITATIONS GROUNDS**

1 *Interbond Corporation of America v.*
2 *Technicolor SA, et al.*, No. 13-cv-05727;
3 *Interbond Corporation of America v. Hitachi,*
4 *Ltd. et al.*, No. 3:11-cv-06275;
5 *Office Depot, Inc. v. Technicolor SA, et al.*, No.
6 *13-cv-05726;*
7 *Office Depot, Inc. v. Hitachi, Ltd. et al.*, No.
8 *3:11-cv-06276;*
9 *Sears, Roebuck and Co. and Kmart Corp. v.*
10 *Technicolor SA, et al.*, No. 13-cv-05262;
11 *Sears, Roebuck and Co. and Kmart Corp. v.*
12 *Chunghwa Picture Tubes, Ltd. et al.*, No. 3:11-
13 *cv-05514*

1 I, Tyler M. Cunningham, hereby declare as follows:

2 1. I am a member of the bar of the State of California and an attorney with Sheppard,
3 Mullin, Richter & Hampton, counsel of record for Defendants Samsung SDI America, Inc.;
4 Samsung SDI Co., Ltd.; Samsung SDI (Malaysia) SDN. BHD.; Samsung SDI Mexico S.A. de
5 C.V.; Samsung SDI Brasil Ltda.; Shenzhen Samsung SDI Co., Ltd.; and Tianjin Samsung SDI Co.,
6 Ltd. I make this Declaration in support of Defendants' Motion for Partial Summary Judgment as
7 to Indirect Purchaser Plaintiffs' and Certain Direct Action Plaintiffs' State Law Claims on Statute
8 of Limitations Grounds. I have personal knowledge of the matters set forth herein and could and
9 would testify competently to each of them.

10 2. Attached hereto as Exhibit A is a true and correct copy of a press release titled
11 Antitrust: Commission carries out inspections in the cathode ray tubes sector, dated November 8,
12 2007.

13 3. Attached hereto as Exhibit B is a true and correct copy of an article titled
14 Matsushita and Samsung drawn into CRT investigation, dated November 10, 2007.

15 4. Attached hereto as Exhibit C is a true and correct copy of an article titled Philips is
16 targeted in investigation, dated November 21, 2007.

17 5. Attached hereto as Exhibit D is a true and correct copy of an article titled Philips is
18 subject of inquiry, dated November 22, 2007.

19 6. Attached hereto as Exhibit E is a true and correct copy of an article titled Class
20 Counsel Announce Filing of Class Action Complaint Charging Leading Manufacturers of
21 Cathode-Ray Tubes Participated in a Global Cartel to Fix Prices, dated November 27, 2007.

22 7. Attached hereto as Exhibit F is a true and correct copy of an article titled Thomson
23 Gets Justice Dept Subpoena, dated February 15, 2008.

24 8. Attached hereto as Exhibit G is a true and correct copy of an excerpt of Toshiba
25 Corporation Annual Report 2008.

26 9. Sheppard Mullin staff compiled a list of complaints related to this multi-district
27 litigation. According to that list, more than 30 such complaints had been filed by February 18,
28 2008.

1 I declare under penalty of perjury of the laws of the United States that the foregoing is true
2 and correct.

3 Executed on November 7, 2014 at San Francisco, California.

4 /s/ Tyler M. Cunningham
5 TYLER M. CUNNINGHAM